

**REMARKS**

Concurrently herewith, Applicant has submitted its Appeal Brief regarding the above-identified U.S. patent application. However, in preparing the Appeal Brief, Applicant has noted that the Response to Final Office Action filed December 12, 2003 has been denied entry in the Advisory Action mailed March 4, 2004. Applicant believes that the corrected drawing figure, which was submitted in response to an objection contained in the previous Office Action, may have been denied entry because a corresponding amendment had not been made with regard to the text. Accordingly, by the foregoing amendment, Applicant has incorporated a reference in the text to the "comparator 14a" in Figure 1. Applicant respectfully submits that this amendment is fully supported by the claims as originally filed, in which Claim 7 recited "a comparator for comparing the amplitudes of the spectral bands with predetermined values to determine the flow rate". Accordingly, it is requested that the foregoing amendment, as well as the proposed drawing change be entered in order to place this application in better form for appeal.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

Serial No. 09/942,926  
Amendment Dated: May 17, 2004  
Attorney Docket No. 3036/50371

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #3036/50371).

Respectfully submitted,

  
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